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STATUTORY INSTRUMENTS

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**2002 No. 2684**

**The Town and Country Planning (Enforcement)  
(Hearings Procedure) (England) Rules 2002**

**Procedure following remitting of appeal**

17.—(1) Where an appeal, for which a hearing has been held, is remitted by any court to the Secretary of State for rehearing and redetermination, the Secretary of State—

- (a) shall send to the persons entitled to appear at the hearing who appeared at it a written statement of the matters on which further representations are invited in order for him to consider the appeal further;
- (b) shall give those persons the opportunity to make written representations to him on those matters or to ask for the re-opening of the hearing; and
- (c) may, as he thinks fit, cause the hearing to be re-opened or an inquiry held instead (whether by the same or a different inspector) and if he re-opens the hearing paragraphs (2) to (6) of rule 6 shall apply as if the reference to a hearing were to a re-opened hearing.

(2) Those persons making representations or asking for the hearing to be re-opened under paragraph (1)(b) shall send such representations or requests to the Secretary of State within 3 weeks of the date of the written statement sent under paragraph (1)(a).